

6 DEC 03

IN THE SUPREME COURT
APPEAL FROM THE COURT OF APPEALS

CENTRAL CEILING & PARTITION, INC.,
Plaintiff-Appellee,

v

SC: 121009
COA: 225378
Wayne CC: 98-810597 CH

DEPARTMENT OF COMMERCE,
Defendant-Appellant,

and

KITCHEN SUPPLIERS, INC.
Defendant-Appellee,

and

CAPPY HEATING AND AIR CONDITIONING, INC.,
Intervening Plaintiff-Appellee,

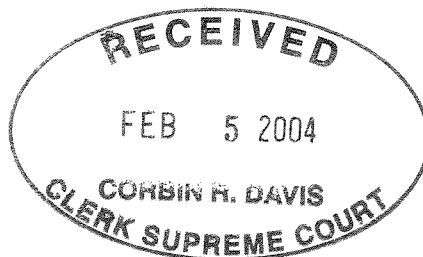
and

PRIMEAU HOMES, INC.,
Defendant,

and

WAYNE COUNTY REGISTER OF DEEDS,
Defendant.

WAYNE COUNTY REGISTER OF DEED'S BRIEF



AZZAM E. ELDER (P 53661)
Wayne County Corporation Counsel
SAMUEL A. NOUHAN (P 44381)
Principal Attorney
Attorneys for Wayne County
600 Randolph Street, Second Floor
Detroit, Michigan 48226
(313) 224-5030

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STATEMENT OF BASIS OF JURISDICTION

This court ordered the Wayne County Register of Deeds be added to this suit as a defendant. MCR 7.316(A)(7), 2.205(B).

STATEMENT OF FACTS

BACKGROUND

This Court ordered that the Wayne County Register of Deeds be added to this suit as a defendant. This Court requested the Register of Deeds answer four specific questions, answers to which are provided in this brief.

DESCRIPTION OF LAWFUL EQUIVALENT OF ENTRY BOOK

Ms. Christine McLenon is the Deputy Wayne County Register of Deeds. She submits the attached appendix B as factual support for this brief.

The Wayne County Register of Deeds utilizes an AS 400 TRIMIN land record system (TRIMIN system) to record documents such as the lien documents at issue in this case. It is a searchable database, and it represents an accepted and common method of recording and retrieval by Registers in the State of Michigan. The TRIMIN system records, among other things, the following information for lien documents (such as the documents at issue in this case):

- a description of the type of document presented to the Register's Office for recording;
- a "date-stamp" date, representing the date a document is presented to the Register for recording;

- a "dated" date, representing the date appearing on the face of the presented document;
- a recording date and time, representing the date and time the document is actually recorded with the Register;
- Liber and page numbers;
- a registration number, a unique number assigned to each document recorded; and
- a legal description of property referenced in the presented document.

Appendix B, paragraphs 5 - 8. The information below is responsive to the four questions in the Court's December 29, 2003 order. The order is attached as appendix A.

ANSWERS TO COURT PRESENTED QUESTIONS

QUESTION 1: "[T]he date and time when the lien documents at issue in this case were presented to, and accepted by, the Register"

The notice of lien for Lot 34 was presented to, and accepted by, the Register on December 17, 1997 (time unknown); it was recorded on February 2, 1998 at 10:37 a.m. Appendix B, paragraph 11.

The notice of lien for Lot 74 was presented to, and accepted by, the Register on December 17, 1997 (time unknown); it was recorded on February 2, 1998 at 10:38 a.m. Appendix B, paragraph 11.

The notice of lien for Lot 124 was presented to, and accepted by, the Register on

December 17, 1997 (time unknown); it was recorded on February 2, 1998 at 10:39 a.m.
Appendix B, paragraph 11.

The notice of lien for Lot 134 was presented to, and accepted by, the Register on
December 17, 1997 (time unknown); it was recorded on February 2, 1998 at 10:40 a.m.
Appendix B, paragraph 11.

QUESTION 2: "[W]hether the Register maintained an entry book, MCL 565.24, or lawful equivalent for recording such lien documents between July 1997 and January 1998"

The Register utilized the TRIMIN system as described above during the referenced time period. The Register believes that the TRIMIN system is the lawful equivalent of an entry book under MCL 565.24. Appendix B, paragraphs 7 and 12.

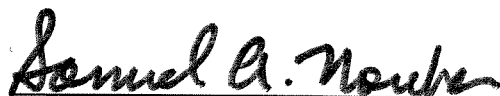
QUESTION 3: "[W]hether the Register maintains an entry book, MCL 565.24, or lawful equivalent for recording such lien documents"

The Register currently maintains the TRIMIN system as described above (except that as of January 2000 the imaged copy of the notice, or instrument, no longer includes a time), and believes it to be the lawful equivalent of an entry book under MCL 565.24. Appendix B, paragraphs 7 and 13.

QUESTION 4: If no entry book or legal equivalent is maintained, "what steps the Register intends to take with regard to its obligation to record lien documents such as the documents at issue in this case"

The Register believes the Court's fourth question is not applicable. However, the Register is investigating changing the current recording system to ensure that the date and time are recorded for the presentment and acceptance of an instrument and that the TRIMIN system indexes that information. Appendix B, paragraph 14.

February 2, 2004

A handwritten signature in black ink, reading "Samuel A. Nouhan". The signature is written in a cursive style with a large, stylized 'S' and 'N'.

SAMUEL A. NOUHAN (P44381)
Principal Attorney
Chief of Litigation
Counsel for Defendant Wayne County
Register of Deeds

IN THE SUPREME COURT
APPEAL FROM THE COURT OF APPEALS

CENTRAL CEILING & PARTITION, INC.,
Plaintiff-Appellee,

SC: 121009
COA: 225378
Wayne CC: 98-810597 CH

v

DEPARTMENT OF COMMERCE,
Defendant-Appellant,

and

KITCHEN SUPPLIERS, INC.
Defendant-Appellee,

and

CAPPY HEATING AND AIR CONDITIONING, INC.,
Intervening Plaintiff-Appellee,

and

PRIMEAU HOMES, INC.,
Defendant,

and

WAYNE COUNTY REGISTER OF DEEDS,
Defendant.

_____ /

PROOF OF SERVICE

STATE OF MICHIGAN)
)ss
COUNTY OF WAYNE)

The undersigned, being first duly sworn, deposes and says that she placed in the United States mail, postage prepaid, a copy of the following, properly addressed:

DATE: February 2, 2004

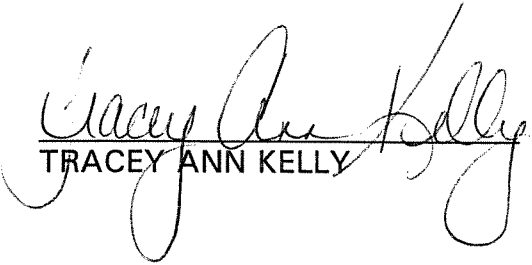
DOCUMENTS: **WAYNE COUNTY REGISTER OF DEED'S BRIEF**

ADDRESSEES: Randy G. Martinuzzi, Esq.
EDWARDS AND MARTINUZZI, P.C.
3000 Town Center, Suite 2990
Southfield, Michigan 48075

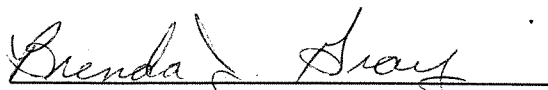
Michael G. Frezza, Esq.
Assistant Attorney General
1740 Michigan Plaza Building
1200 Sixth Street
Detroit, Michigan 48226

Ronald P. Strote, Esq.
May, Simpson & Strote
200 West Long Lake Road, Suite 200
P.O. Box 1134
Bloomfield Hills, Michigan 48303-1134

John J. Ruggero, Jr., Esq.
Todd Zachary, Esq.
126 Cass Avenue
Mt. Clemens, Michigan 48043


TRACEY ANN KELLY

Subscribed and sworn to before me
this 2nd day of February, 2004.



Brenda J. Gray, Notary Public
Wayne County, Michigan
My Commission Expires: January 22, 2005

#129864

A

Order

Entered: December 29, 2003

Michigan Supreme Court
Lansing, Michigan

121009

CENTRAL CEILING & PARTITION, INC.,
Plaintiff-Appellee,

v

DEPARTMENT OF COMMERCE,
Defendant-Appellant,
and

KITCHEN SUPPLIERS, INC.,
Defendant-Appellee,
and

CAPPY HEATING AND AIR CONDITIONING,
INC.,
Intervening Plaintiff-Appellee,
and

PRIMEAU HOMES, INC.,
Defendant.

Maura D. Corrigan,
Chief Justice

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Clifford W. Taylor
Robert P. Young, Jr.
Stephen J. Markman,
Justices

SC: 121009
COA: 225378
Wayne CC: 98-810597-CH

After granting leave to appeal, 468 Mich 870 (2003), this Court has carefully considered the written and oral arguments of the parties. We ORDER that the Wayne County Register of Deeds be added to this suit as a defendant. MCR 7.316(A)(7), 2.205(B). The Clerk of this Court shall immediately mail a copy of this order to the Wayne County Register of Deeds.

Within 35 days of the date of this order, the Wayne County Register of Deeds shall file with the Clerk of this Court a brief stating (1) the date and time when the lien documents at issue in this case were presented to, and accepted by, the Register, (2) whether the Register maintained an entry book, MCL 565.24, or lawful equivalent for recording such lien documents between July 1997 and January 1998, (3) whether the Register maintains an entry book, MCL 565.24, or lawful equivalent for recording such lien documents, and (4) if not, what steps the Register intends to take with regard to its obligation to record lien documents such as the documents at issue in this case.

Factual representations by the Wayne County Register of Deeds shall be supported by affidavit. If any of the other parties wishes to respond to the submission by the

Register, that party may do so within 21 days of the date on which the Register's submission is received by the Clerk of this Court. If the Register objects to this joinder, the Register may explain those objections in the brief that is due within 35 days.

We retain jurisdiction of this appeal, which remains pending.

11218



I, CORBIN R. DAVIS, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

December 29, 2003

Corbin R. Davis

B/

c

IN THE SUPREME COURT
APPEAL FROM THE COURT OF APPEALS

CENTRAL CEILING & PARTITION, INC.,
Plaintiff-Appellee,

v

SC: 121009
COA: 225378
Wayne CC: 98-810597 CH

DEPARTMENT OF COMMERCE,
Defendant-Appellant,

and

KITCHEN SUPPLIERS, INC.
Defendant-Appellee,

and

CAPPY HEATING AND AIR CONDITIONING, INC.,
Intervening Plaintiff-Appellee,

and

PRIMEAU HOMES, INC.,
Defendant,

and

WAYNE COUNTY REGISTER OF DEEDS,
Defendant.

Affidavit of Ms. Christine McLenon

Floor

AZZAM E. ELDER (P 53661)
Wayne County Corporation Counsel
SAMUEL A. NOUHAN (P 44381)
Principal Attorney
Attorneys for Wayne County
600 Randolph Street, Second
Detroit, Michigan 48226

(313) 224-5030

1. I have personal knowledge of the contents of this affidavit and am competent to testify as to them.

2. I am the Wayne County Deputy Register of Deeds and have held the position since November 2001.

3. I started employment at the Wayne County Register of Deeds Office in December 1996 as an Account Clerk.

4. I was promoted to the position of Department Executive in May 1997.

5. The Wayne County Register of Deeds utilizes an AS 400 TRIMIN land record system (TRIMIN system) to record documents such as the lien documents at issue in this case. In calendar year 1997, the Wayne County Register of Deeds recorded approximately 362,000 documents.

6. The TRIMIN system is a searchable database, and it represents an accepted and common method of recording and retrieval by Registers in the State of Michigan.

7. As maintained and utilized by the Wayne County Register of Deeds, I believe the TRIMIN system constitutes the legal equivalent of an entry book under MCL 565.24.

8. The TRIMIN system records, among other things, the following information for lien documents in 1997 (such as the documents at issue in this case):

- a description of the type of document presented;
- a "date-stamp" date, representing the date a document is presented to the Register for filing¹;
- a "dated" date, representing the date appearing on the face of the presented document;
- a recording date and time, representing the date the document is

¹If a document is presented in an unrecordable form (i.e. a defective document), upon initial presentment it receives a "date-stamp" date that is later superseded by a new "date-stamp" date assigned to the corrected document.

actually recorded with the Register;

- Liber and page numbers;
- a registration number, a unique number assigned to each document recorded; and
- a legal description of property referenced in the presented document.

9. Attached to this affidavit are 12 pages that I printed from the TRIMIN system on February 2, 2004. There are three pages of information related to each of the four notices of lien at issue in this case. As to each notice of lien at issue, I have attached to this affidavit a copy of the following

(A) the indexed information sheet entered into the TRIMIN system by the Register's Office personnel (one page),

(B) an imaged copy of the actual notice of lien presented to the Register's Office and maintained in the TRIMIN system; with the date and time of recording, the Liber and page numbers, and the registration number appearing in the upper right hand corner of the notice (one page), and

(C) an imaged copy of the legal description of the property referenced on the notice of lien and maintained on the TRIMIN system (one page).

10. Attached documentation for each notice of lien at issue in this case is identified by a cover sheet that is not maintained or stored on the TRIMIN system but was added for clarity.

11. In response to the Court's first question in the December 29, 2003 order:

- The notice of lien for Lot 34 was presented to, and accepted by, the Register on December 17, 1997 (time unknown); it was recorded on February 2, 1998 at 10:37 a.m.
- The notice of lien for Lot 74 was presented to, and accepted by, the Register on December 17, 1997 (time unknown); it was recorded on February 2, 1998 at 10:38 a.m.

- The notice of lien for Lot 124 was presented to, and accepted by, the Register on December 17, 1997 (time unknown); it was recorded on February 2, 1998 at 10:39 a.m.
- The notice of lien for Lot 134 was presented to, and accepted by, the Register on December 17, 1997 (time unknown); it was recorded on February 2, 1998 at 10:40 a.m.

I obtained this information by personally searching the TRIMIN system and retrieving and printing the documents attached to this affidavit.

12. In response to the Court's second question in the December 29, 2003 order, the Register maintained and utilized the TRIMIN system as described above between July 1997 and January 1998. I believe that the TRIMIN system used during that period was the legal equivalent of an entry book under MCL 565.24. This information is based on my actual use of the TRIMIN system in my role as Department Executive during the referenced time period.

13. In response to the Court's third question in the December 29, 2003 order, the Register's Office currently maintains the TRIMIN system as described above (except that as of January 2000 the imaged copy of the notice, or instrument, no longer includes a time), and I believe it to be the legal equivalent of an entry book under MCL 565.24. This information is based on my actual use of, and supervision of, the TRIMIN system as the current Deputy Wayne County Register of Deeds.

14. I believe the Court's fourth question is not applicable. However, the Register is investigating changing the current recording system to ensure that the date and time is recorded for the presentment and acceptance of an instrument and that the TRIMIN system indexes that information.

February 2, 2004

Christine McLenon
CHRISTINE McLENON

Subscribed and sworn to before me
on this 2nd day of February, 2004

By William P. Oden
Notary Public MAQUIN B ACTIVE IN WAYNE
County of Wayne, State of Michigan
My Commission Expires: 10-19-2006

Lot 34

Exhibit A of First
Amended Complaint

09:59:32

REAL ESTATE

DOCUMENT VERIFIED

Registration# R 98024642 Liber: 00029771 Page: 1411.0 To: 1412.0
 Date Received: 2/02/1998 Time Recorded: 10:37 AM Fees: 10.00
 Doc. Type: COL CLAIM OF LIEN Dated Date: 12/16/1997
 Entry Date: 2/04/1998
 MAIL (REGULAR)

Returned To: CENTRAL CEILING & PARTITION INC

Address L1: PO BOX 1966

Address L2:

City/St/Zip: MIDLAND

MI 48641 - 1966

Grantor First M.I. Last

S M HH

1: CENTRAL CEILING & PARTITION INC

2:

Grantee

1: PRIMEAU HOMES

2:

Comments:

Consideration Amount 7260.00

Ref. Reg#	Ref. Doc. Type	Ref. Liber	Ref. Page
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Legal Description: Y

F3=Previous F8=Legal F13=Image

DEC 17 1997

Liber-29771 Page-1411.0
98024542LS 2/02/1998 10:27AM

CLAIM OF LIEN

NOTICE IS HEREBY GIVEN that on the 1 day of May 19 97,
Central Ceiling & Partition, Inc. P.O. Box 1966, Midland, MI 48641-1966
(Name) (Address)

first provided labor or material for an improvement to (see attached Legal Description)

(Legal Description of Real Property from Notice of Commencement)

The Owner/Lessee which is: Primeau Homes
(Name of Owner/Lessee from Notice of Commencement)

The last day of providing labor or material was on the 3 day of October 1997.

**TO BE COMPLETED BY A LIEN CLAIMANT WHO IS
A CONTRACTOR, SUBCONTRACTOR OR SUPPLIER:**

The Lien Claimant's contract amount, including extras, is \$7280.00. The Lien claimant has
received payment thereon in the total amount of \$0 and therefore claims a construction lien
upon the above-described real property in the amount of \$7280.00.

TO BE COMPLETED BY A LIEN CLAIMANT WHO IS A LABORER:

The Lien Claimant's hourly rate, including fringe benefits and withholdings, is \$. There
is due and owing to or on behalf of the Laborer the sum of \$, for which the Laborer claims
a construction lien upon the above-described real property.

Central Ceiling & Partition, Inc.
(Lien Claimant)

Dated: December 16, 1997

By: Robert Scherich Robert Scherich
(Signature of Lien Claimant, Agent or Attorney)

Address: P. O. Box 1966
Midland, MI 48641-1966

State of Michigan)
County of Midland)

Subscribed and sworn to before me this 16 day of December 1997.

Martha L. Thomas
Martha L. Thomas, Notary public
Midland County, Michigan
My commission expires: 3-3-2001

Prepared by:
Amber Mason
Central Ceiling & Partition, Inc.
P O Box 1966
Midland, MI 48641-1966

\$1.00 COPY
\$4.00 REPRODUCTION
\$10.00 DEED
RECORDED
FOREST E. YOUNGBLOOD, REGISTER OF DEEDS
WAYNE COUNTY, MI
Receipt #42718

A Col 10 4R 2P9 5 MB

Liber-29771

Page-1412.0

Legal Description of Property

Commonly known as Covington Square, Lot 34:

**Lot 34 (41998 Trent) Covington Square Sub-division according to the plat thereof as recorded in
Liber 106, Pages 89 - 94 of Plats, Wayne County records. Sidwell # 092-03-0034-000.**

Lot 74

Exhibit C of
First Amended Complaint

WAYNE COUNTY REGISTER OF DEEDS PRODUCTION

REAL ESTATE

DOCUMENT VERIFIED

Registration# R 98024643 Liber: 00029771 Page: 1413.0 To: 1414.0

Date Received: 2/02/1998 Time Recorded: 10:38 AM Fees: 10.00

Doc. Type: COL CLAIM OF LIEN Dated Date: 12/16/1997
Entry Date: 2/04/1998
MAIL (REGULAR)

Returned To: CENTRAL CEILING & PARTITION INC

Address L1: ATTN AMBER MASON

Address L2: PO BOX 1966

City/St/Zip: MIDLAND QI 48641 - 1966

Grantor First M.I. Last S M HH

1: CENTRAL CEILING & PARTITION INC

2:

Grantee

1: PRIMEAU HOMES INC

2:

Comments:

Consideration Amount 7870.00

Ref. Reg# Ref. Doc. Type Ref. Liber Ref. Page

Legal Description: Y

F3=Previous F8=Legal F13=Image

DEC 17 1997

Liber-25771 Page-1413.0
98024643L8 2/02/1998 10:38AM

CLAIM OF LIEN

NOTICE IS HEREBY GIVEN that on the 9 day of May 19 97,
Central Ceiling & Partition, Inc. P.O. Box 1986, Midland, MI 48641-1986
(Name) (Address)

first provided labor or material for an improvement to (see attached Legal Description)

(Legal Description of Real Property from Notice of Commencement)

The Owner/Lessee which is: Primeau Homes, Inc.
(Name of Owner/Lessee from Notice of Commencement)

The last day of providing labor or material was on the 3 day of October 1997.

TO BE COMPLETED BY A LIEN CLAIMANT WHO IS A CONTRACTOR, SUBCONTRACTOR OR SUPPLIER:

The Lien Claimant's contract amount, including extras, is \$7870.00. The Lien claimant has
received payment thereon in the total amount of \$0 and therefore claims a construction lien
upon the above-described real property in the amount of \$7870.00.

TO BE COMPLETED BY A LIEN CLAIMANT WHO IS A LABORER:

The Lien Claimant's hourly rate, including fringe benefits and withholdings, is \$. There
is due and owing to or on behalf of the Laborer the sum of \$, for which the Laborer claims
a construction lien upon the above-described real property.

Central Ceiling & Partition, Inc.
(Lien Claimant)

Dated: December 16, 1997

By: Robert Scherish Robert Scherish
(Signature of Lien Claimant, Agent or Attorney)

Address: P.O. Box 1986
Midland, MI 48641-1986

State of Michigan
County of Midland

Subscribed and sworn to before me this 16 day of December, 1997.

Martha L. Thomas
Martha L. Thomas, Notary public
Midland County, Michigan
My commission expires: 3-3-2001

Prepared by:
Amber Mason
Central Ceiling & Partition, Inc.
P.O. Box 1986
Midland, MI 48641-1986

\$1.00 COPY 660
\$4.00 REMUNERATION
\$10.00 DEED

RECORDED
FOREST E. YOUNGBLOOD, REGISTER OF DEEDS
WAYNE COUNTY, MI
Receipt #42718

R Col 10 4R 299 5 1113

Legal Description of Property

Commonly known as Covington Square, Lot 74:

**Lot 74, Covington Square Sub-division, according to the plat thereof as recorded in Liber 106,
Pages 89 through 94 of Plats, Wayne County Records.**

Lot 124

Exhibit D of First
Amended Complaint

WAYNE COUNTY REGISTER OF DEEDS PRODUCTION

REAL ESTATE

DOCUMENT VERIFIED

Registration# R 98024645

Liber: 00029771 Page: 1421.0 To: 1422.0

Date Received: 2/02/1998

Time Recorded: 10:39

AM Fees: 10.00

Doc. Type: COL CLAIM OF LIEN

Dated Date: 12/16/1997

Entry Date: 2/04/1998

MAIL (REGULAR)

Returned To: CENTRAL CEILING & PARTITION INC

Address L1: PO BOX 1966

Address L2:

City/St/Zip: MIDLAND

MI 48641 - 1966

Grantor First M.I. Last

S M HH

1: CENTRAL CEILING & PARTITION INC

2:

Grantee

1: PRIMEAU HOMES INC

2:

Comments:

Consideration Amount 7340.00

Ref. Reg#

Ref. Doc. Type

Ref. Liber

Ref. Page

Legal Description: Y

F3=Previous F8=Legal F13=Image

REC 17 1997

Liber-29771 Page-1421.0
98024645LS 2/02/1998 10:39AM

CLAIM OF LIEN

NOTICE IS HEREBY GIVEN that on the 29 day of April 1997
Central Ceiling & Partition, Inc. P.O. Box 1986, Midland, MI 48641-1986
(Name) (Address)

first provided labor or material for an improvement to (see attached Legal Description)

(Legal Description of Real Property from Notice of Commencement)

The Owner/Lessee which is: Primeau Homes, Inc.
(Name of Owner/Lessee from Notice of Commencement)

The last day of providing labor or material was on the 3 day of October 1997.

TO BE COMPLETED BY A LIEN CLAIMANT WHO IS A CONTRACTOR, SUBCONTRACTOR OR SUPPLIER:

The Lien Claimant's contract amount, including extras, is \$7340.00. The Lien claimant has received payment thereon in the total amount of \$0 and therefore claims a construction lien upon the above-described real property in the amount of \$7340.00.

TO BE COMPLETED BY A LIEN CLAIMANT WHO IS A LABORER:

The Lien Claimant's hourly rate, including fringe benefits and withholdings, is \$. There is due and owing to or on behalf of the Laborer the sum of \$, for which the Laborer claims a construction lien upon the above-described real property.

Central Ceiling & Partition, Inc.
(Lien Claimant)

Dated: December 16, 1997

By: Robert Scherich Robert Scherich
(Signature of Lien Claimant, Agent or Attorney)

Address: P. O. Box 1986
Midland, MI 48641-1986

State of Michigan }
County of Midland }

Subscribed and sworn to before me this 16 day of December, 1997.

Martha L. Thomas
Martha L. Thomas, Notary public
Midland County, Michigan
My commission expires: 3-3-2001

Prepared by:
Amber Mason
Central Ceiling & Partition, Inc.
P O Box 1986
Midland, MI 48641-1986

3100 COPY 660
\$4.00 REMONUMENTATION
\$10.00 DEED
RECORDED
FOREST E. YOUNGBLOOD, REGISTER OF DEEDS
WAYNE COUNTY, MI
Receipt #42718

R Col 10 FR 2pg S 1113

Legal Description of Property

Commonly known as Covington Square, Lot 124, 42435 Oakland:

**Lot 124, Covington Square Sub-division, as recorded in Liber 106, Pages 89 through 94 of Plats,
Wayne County Records.**

Lot 134

Exhibit E of First
Amended Complaint

REAL ESTATE

DOCUMENT VERIFIED

Registration# R 98024648 Liber: 00029771 Page: 1432.0 To: 1433.0
Date Received: 2/02/1998 Time Recorded: 10:40 AM Fees: 10.00
Doc. Type: COL CLAIM OF LIEN Dated Date: 12/16/1997
Entry Date: 2/04/1998
MAIL (REGULAR)

Returned To: CENTRAL CEILING & PARTITION INC

Address L1: ATTN AMBER MASON

Address L2: PO BOX 1966

City/St/Zip: MIDLAND

MI 48641 - 1966

Grantor First M.I. Last

S M HH

1: CENTRAL CEILING & PARTITION INC

2:

Grantee

1: GRAND SAKWA OF CANTON

2:

Comments:

Consideration Amount 6150.00

Ref. Reg#	Ref. Doc. Type	Ref. Liber	Ref. Page
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Legal Description: Y

*** F01=Image Printing ***

F3=Previous F8=Legal F13=Image

CLAIM OF LIEN

NOTICE IS HEREBY GIVEN that on the 13 day of May 19 97
Central Ceiling & Partition, Inc. P.O. Box 1986, Midland, MI 48641-1986
(Name) (Address)

first provided labor or material for an improvement to (see attached Legal Description)

(Legal Description of Real Property from Notice of Commencement)

The Owner/Lessee which is: Grand/Sakwa of Canton
(Name of Owner/Lessee from Notice of Commencement)

The last day of providing labor or material was on the 3 day of October 1997.

**TO BE COMPLETED BY A LIEN CLAIMANT WHO IS
A CONTRACTOR, SUBCONTRACTOR OR SUPPLIER:**

The Lien Claimant's contract amount, including extras, is \$8150.00. The Lien claimant has received payment thereon in the total amount of \$0 and therefore claims a construction lien upon the above-described real property in the amount of \$8150.00.

TO BE COMPLETED BY A LIEN CLAIMANT WHO IS A LABORER:

The Lien Claimant's hourly rate, including fringe benefits and withholdings, is \$. There is due and owing to or on behalf of the Laborer the sum of \$, for which the Laborer claims a construction lien upon the above-described real property.

Central Ceiling & Partition, Inc.
(Lien Claimant)

Dated: December 18, 1997

By: Robert Scherich Robert Scherich
(Signature of Lien Claimant, Agent or Attorney)

Address: P. O. Box 1986
Midland, MI 48641-1986

State of Michigan)
County of Midland)

Subscribed and sworn to before me this 18 day of December, 1997.

Martha L. Thomas
Martha L. Thomas, Notary public
Midland County, Michigan
My commission expires: 2-3-2001

Prepared by:
Amber Mason
Central Ceiling & Partition, Inc.
P O Box 1986
Midland, MI 48641-1986

\$1.00 COPY 660
\$4.00 RECORDEMENT
\$10.00 DEED

RECORDED
FOREST E. YOUNGBLOOD, REGISTER OF DEEDS
WAYNE COUNTY, MI
Receipt #42718

R. col 10 4R 2P9

Legal Description of Property

Commonly known as Covington Square, Lot 134:

**Lot 134 Covington Square Subdivision according to the plat thereof as recorded in Liber 106,
Pages 89 through 94 of Plats, Wayne County records.**